

INFORMATION FOR IMMIGRANT VISA APPLICANTS

(PACKET FOUR)

Immigrant Visa Section, American Consulate General, Mumbai

You have received a letter scheduling an appointment for you to come to this office and formally apply for an immigrant visa. All members of your family immigrating with you must appear with you for the appointment. Each person immigrating, regardless of age, requires a separate visa. If you cannot keep your visa appointment, please notify this office at 23637408, Email: Mumbaiiv@state.gov. **If you cannot keep your scheduled visa appointment, you will experience a lengthy delay before another appointment can be granted.**

BEFORE COMING FOR YOUR VISA INTERVIEW THE FOLLOWING DOCUMENTS SHOULD BE PRESENTED AT YOUR NEAREST VFS OFFICE (A LIST OF OFFICES IS ENCLOSED). VFS WILL GIVE YOU A RECEIPT FOR ALL DOCUMENTS LEFT WITH IT. AT THE TIME YOU PRESENT YOUR DOCUMENTS YOU MUST ALSO PAY A COURIER FEE OF Rs. 365/-.

ALL DOCUMENTS MUST BE PRESENTED AT YOUR NEAREST VFS OFFICE (SEE ATTACHED SHEET) NO EARLIER THAN TEN (10) WORKING DAYS AND NO LESS THAN SEVEN (7) DAYS PRIOR TO YOUR INTERVIEW. FAILURE TO SUBMIT YOUR DOCUMENTS BY TEN WORKING DAYS PRIOR TO YOUR APPOINTMENT MAY RESULT IN LOSS OF YOUR INTERVIEW DATE.

If you wish, you may submit your documents at the American Consulate on the day of interview but **YOU MUST** pay the courier charges at a VFS office **NO EARLIER THAN TEN (10) WORKING DAYS AND NO LESS THAN SEVEN (7) DAYS PRIOR TO YOUR INTERVIEW.** You are strongly urged to submit your documents to a VFS office at the same time you pay the courier fee.

Exception applicant submitting documents to VFS Kolkata should do so FIFTEEN (15) WORKING DAYS PRIOR TO THE INTERVIEW.

Required documents should be presented in the following order for each applicant. Please tick the boxes on the left side, to be sure that you have collected all the documents for the interview.

- ☐ **PASSPORT:** Each applicant's passport must be valid for travel to the United States and must have at least eight months validity beyond the issuance date of the visa. The passport should reflect the correct name and date of birth of the applicant. The visa is issued in the name given in the applicant's passport. A female applicant does not have to change her name to her married name. Those applicants whose passports are issued in their maiden names will have their visas issued in their maiden names. Applicants should bring all current and former/expired passports with them to the Embassy at the time of their interview. **PLEASE NOTE: A photocopy of the biographic pages of your passport along with passport must be presented to the VFS office; on the day of interview you must bring you original passport.**

☐ **PHOTOS:** See attached sheet. Please note a photograph must be presented to the VFS office.

☐ **BIOGRAPHIC DATA FORM:** The DS 230 Part I and II have to be completed for each applicant. When completing the form please include all names ever used by each applicant. Married women must be sure to include their full name as used before marriage, after marriage, and any other aliases. Please use the exact spelling and name order indicated in each applicant's passport.

Please do not sign Form DS-230 Part II; you will be requested to sign this form during the visa interview. Please note if an applicant is below 14 years of age appearing for an interview without parents, he/she should have a notarized letter from both parents indicating the name of the guardian and that he/she (legal guardian) is authorized to sign the form and is allowed by the parents to appear for the interview with the applicant. The legal guardian must present photo identification such as passport, driving license or election card. Please attach two photographs (two inches by two inches, full-face, taken against a white or off-white background, showing the entire, uncovered head) to the upper left-hand corner of the form DS-230, Part 1.

☐ **BIRTH CERTIFICATE:** **Original and photocopy.** Each applicant must submit an original and a clear photocopy of his/her birth certificate. The certificate should include the applicant's name, date and place of birth, the names of both parents, and the seal of the issuing office, i.e. the municipal authorities or the village authorities (gram panchayat or talati-cum-mantri). If your name is not mentioned in the birth certificate and if any details are missing in the birth certificate or if there is a discrepancy regarding your date of birth or name, submit the certificate along with secondary evidence.

Secondary evidence can be a baptismal certificate, an adoption decree, a school record, a notarized affidavit from a close relative, a neighbor or friend who was present at the time of your birth on the appropriate stamp paper, which must be sworn before a First Class Magistrate. The person making this affidavit must state how he/she knows your family and how he/she knows the facts of your birth. **Secondary evidence must have your name, date and place of birth; names of both parents; and the seal of the issuing office.**

If your birth was not recorded, please submit a "no record of birth registration" letter from the relevant municipality along with secondary evidence and if your birth record has been destroyed or the municipality authorities will not issue one, submit a letter from the municipality stating so along with secondary evidence. (See preceding paragraph for definition of "secondary evidence.")

Note: If any of these documents were issued in a regional language, a notarized English translation is required in addition to the original.

☐ **MARRIAGE CERTIFICATE:** Any applicant who has ever been married must provide an **original and a clear photocopy** of the marriage certificate(s) for all marriages. Persons who married before 1955 must attempt to register their marriage. Failing this, they must submit affidavits on appropriate stamp paper sworn before a First Class Magistrate indicating the names of the bride and groom, the date and place of the marriage ceremony. Persons married in 1955 and later must submit a marriage registration certificate. Certificates issued by the appropriate authorities are acceptable if they are legally valid in India. **If any of these documents were issued in a local language, a notarized English translation is required in addition to the original.** If you and your spouse are applying for visas, you should submit an original and two clear photocopies of each certificate.

☐ **TERMINATION OF PREVIOUS MARRIAGE:** All applicants who have divorced or whose spouses have died must provide an **original and a clear photocopy** of proof of the legal termination of all previous marriages (death certificate of spouse, divorce decree). Divorce between Hindus and Christians must be documented by a court order. A certificate from the Kazi or the head of the Jamat must document divorce between Muslims. If any of these documents were issued in a local language, a notarized English translation is required in addition to the original.

☐ **PROOF OF RELATIONSHIP:** We strongly suggest that all applicants bring extensive documentary evidence of the relationship between the petitioner and the primary beneficiary and between the primary beneficiary and any derivative beneficiaries. **Failure to do so could greatly delay your application while your application is investigated.** Some examples of such evidence are family and other photographs (old and recent) showing the parties together, letters, cards, correspondence, and telephone records.

☐ **POLICE REPORT:** Each applicant aged 16 years and older must submit a police certificate that includes information regarding the applicant including all arrests, the reason for the arrest(s) and the disposition of each case(s). **(A)** Indian citizens residing in India for six months or more since turning 16 years of age must present Indian police clearance certificates from both their district police station and the local area passport office. Applicants whose passports were issued within six months of the visa interview may present just the passport office certificate. These certificates are valid for one year from the date of issuance. **(B)** If an Indian citizen who has lived in India for at least one year after the age of 16 currently resides outside India, he/she must obtain a certificate issued by the Indian Embassy or Consulate where he/she lives. These certificates are valid for only one year from the date of issuance.

(C) Foreign police certificates: Applicants who have resided in any other country for one year or more after the age of 16 may also be required to submit police certificates for these countries. Applicants may inquire of our Immigrant Visa Unit regarding police certificates for these countries, telephone number: 23637408, Email: mubaiiv@state.gov . You may also check in the visa reciprocity table on the website www.travel.state.gov . U.S. police certificates are not required for applicants who have lived in the U.S.A. Non-Indian immigrant visa applicants residing in India should obtain police certificates from the district police station serving their area of residence.

DEPORTATION: Any applicant who has been deported from the United States must submit all documents relating to the matter.

PRISON RECORDS: Applicants who have been convicted of a crime must submit court records, prison records, records regarding the disposition of the case and any additional information regarding the crime, regardless of the fact that he/she may have subsequently benefited from an amnesty, pardon or other act of clemency.

MILITARY RECORDS: A certified copy of any military record is required. The record should contain a complete record of the applicant's service and conduct while in service. It must show any conviction of crime before a military tribunal. A discharge certificate is required upon discharge, retirement, or resignation from military service.

☐ **AFFIDAVIT OF SUPPORT:**

Applicants should check with their sponsor to see if form I-864 has already been submitted to the National Visa Center (NVC). If so, it is not necessary to submit another I-864.

A) Immediate relative and family preference category

Each immigrant visa applicant needs to satisfy the consular officer that he/she will not become a public charge. In all immediate relative, family preference, and employment-based applications (in which a close family member owns 5% or more of the petitioning business), the petitioner must submit a completed Affidavit of Support (Form I-864), no matter what his/her financial circumstances are, to show that the sponsored applicant(s) will not become a public charge.

i) If form I-864 was not submitted to NVC the applicant must submit the following from the petitioner (sponsor):

- a) Form I-864.**
 - b) Evidence that the household member is a U.S.citizen /U.S. permanent resident if a form I-864A is submitted.**
 - c) Federal tax return (form 1040) with all W2s and supporting schedules for the **most recent taxable year**.**
 - d) If the petitioner did not file a tax return, then the petitioner must provide a written explanation of why he/she had no legal duty to file the return.**
 - e) If the petitioner filed a late or amended tax return, he/she should submit evidence of it.**
 - f) If the petitioner does not have copies of his/her tax returns, an Internal Revenue Service (IRS) summary should be submitted.**
- ii) If the petitioner's income or assets do not exceed 125% of the federal poverty guidelines, then an I-864 of an additional sponsor willing to assume financial responsibility for the sponsored immigrant(s) must be submitted. This additional form I-864 must include all the supporting documentation indicated in section (i) above, as well as evidence that the Joint Sponsor is an American citizen or Legal Permanent Resident.**

iii) If the additional sponsor lives in the same household as the petitioner, he/she is considered a household member, and cannot fill out a separate I-864. The household member must execute an I-864A, as described below.

iv) If a sponsor wishes to qualify using the income or assets of a spouse or resident of his/her home, in addition to the above documents he/she should also submit form I-864A for each additional contributor. The additional contributor should sign the form I-864A as the household member. Each household member should submit a form I-864A along with all the required documents outlined in paragraph (i). **Please note sponsor must include household member income in part 4 of form I-864.**

v) (a) Applicants are responsible for providing sufficient copies of the form I-864. Beneficiaries of immediate relative (IR) petitions must provide one original signed I-864 and one complete set of original supporting documents. **(b)** Beneficiaries of family-preference (F) petitions must provide one original signed and notarized form I-864/I-864A for the principal applicant and one copy of I-864/I-864A for each family member, and one complete set of original supporting documents for the principal applicant. **(c)** If a dependent(s) will follow the principal alien to the United States at a later date each such dependent must submit an original signed I-864/ I-864A and a complete set of original supporting documents.

vi) **FORM I-864W is necessary for following applicants:**

Orphan classified IR-3; adopted child classified IR-2; and child classified IR-2 who is born out of wedlock to a parent now a U.S. citizen. In each case the child must be admitted to the U.S. while still under the age of 18 and be in the physical custody of the adoptive/natural U.S. parent at the time of admission. If an applicant falls under one of these classifications he/she does not have to provide an I-864.

B) Employment preference category

In employment preference visa categories a notarized offer of employment from the petitioner is required. If a relative has filed the visa petition as described in paragraph A) above, a form I-864 and all accompanying documents are required. For follow-to-join applicants in the employment preference visa categories, the principal applicant must submit a notarized affidavit of support (form I-134), a job letter or pay stubs, and forms 1040 and W2 for the latest taxable year.

C) Returning resident (SB-1) and diversity visa (DV) applicants:

A sponsor who is a U.S. citizen or LPR must provide a notarized affidavit of support (form I-134), a job letter or pay stubs, forms 1040 and W2 for the most recent taxable year and proof of U.S. citizenship or permanent resident status.

☐ **MEDICAL REPORT:** Medical report from one of the Embassy's panels physicians for each applicant. See enclosed list of physicians.

☐ **FOLLOWING TO JOIN APPLICANT**

When a family member of the principal applicant (the person for whom a petition has been filed by a relative in the United States) intends to stay in India longer than the principal applicant and immigrate to the United States at a later date, some additional documents are required. Each of the items listed below is needed for each child less than 21 years who will be following to join the principal applicant later:

1. Original and photocopy of birth certificate.
2. A passport size photograph.
3. Passport or some photo identification such as driving license.

ADDITIONAL INFORMATION

FEES: Currently there is an immigrant visa fee of \$335 for each applicant and a \$45 visa surcharge fee for a total of \$380. Only fees that have not been collected by NVC will be paid at our office. Visa fees are not refundable; they must be paid through a rupee bank draft drawn on a nationalized or foreign bank. **The bank drafts must be issued in the name of "The American Consulate General, Mumbai," and should be payable in Mumbai.** As the rate of exchange can change, we recommend that applicants check the current consular rate of exchange at our website: <http://mumbai.usconsulate.gov> or contact the Consulate ahead of their interview to obtain the current consular rate of exchange. At present, each applicant has to pay the total Immigrant Visa Fee of \$380 or Rs. 16720/- (only single draft required) for each applicant. If the applicant has to only pay the surcharge he/she can pay \$45 or Rs. 1980/- (only single demand draft) for each applicant. Using the exchange rate of \$1.00 = Rs. 44/-. Exchange rate subject to change without notice.

Note: The above fees are separate from the fee charged when an immigrant visa petition, form I-130 or form I-140, is filed.

Applicants arriving at the Visa Section will be interviewed and given an oath by a consular officer. Their documents will be reviewed, and they will be advised of the outcome of their applications. The Consular Section is closed on Saturday, Sunday, and American and Indian holidays.

Due to the volume of applicants, this process may take most of the day. We suggest bringing books, crossword puzzles and other diversions. The waiting room is air-conditioned, has toilets, and is a no-smoking area.

NO ASSURANCE THAT VISA WILL BE ISSUED: No assurance can be given in advance that a visa will be issued. A consular officer can make a decision only after your visa application and all documents are reviewed, and you have been personally interviewed. You are advised not to make any travel arrangements, and not to dispose of your property or give up your job until the visa has been issued. If your visa application is refused, you will be given a refusal sheet that will indicate the basis for your refusal. If applicable, it will tell you what actions you could take to overcome the refusal. The visas are affixed inside each passport and the applicant is given a sealed envelope which should be hand carried, UNOPENED, to the United States and submitted to the immigration inspector at the U.S. port-of-entry. **If the sealed envelope is opened prior to arrival in the United States, the immigrant visa fee of \$335 must be paid again at the American Consulate General, Mumbai and a new sealed envelope will be handed over to the applicant.**

VISA VALIDITY: An immigrant visa is valid for a maximum period of six months from the date of issuance. You must travel and apply for admission to the United States within that six-month period. A visa may not be transferred from one person to another, or used by any person other than the one to whom issued.

ABANDONED APPLICATIONS: Section 203(e) of the Immigration and Nationality Act requires that an intending immigrant pursue his/her visa application within one year from the date he/she is informed that it is possible to do so. This is our notice to you that it is now possible for you to pursue your application for a visa. If you fail to do so within one year from the date of the attached letter, your application and any visa petition approved for you will be canceled.

AGE 21 NOTICE: If you or any other members of your family planning to immigrate is turning 21 years of age within the next three months, this may change your or family member's visa status. Under U.S. immigration law you may be considered an adult rather than a child. Please consult with the Consular Section if this will be an issue in your family's immigrant visa applications.

INFORMATION SOURCES

For information on Immigrant visas call: 23637408.

For additional visa information: the American Consulate homepage:

<http://mumbai.usconsulate.gov>

Bureau of Consular Affairs: www.travel.state.gov

Enclosures:

- *Photo Instructions
- *Instructions for Medical Examination
- *Poverty Guideline
- *DS 230 Part I and II
- *List of VFS Office Locations

This information sheet is provided free of charge by the Consular Section, American Consulate General, Mumbai.

Please note that any false statement or concealment of a material fact may result in your permanent exclusion from the United States.